



# ISLAND COUNTY SHORELINE MASTER PROGRAM UPDATE

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# TIMELINE AND PROCESS

## General Process

- Bring topics and materials to the Technical Review Committee
- Then the Planning Commission
- Then the Board of Commissioners
- In that general order for discussion

## Jointly Adopted Ordinance

- Island County and Ecology will hold a joint public comment period
- There will be a public comment hearing held during that period
- Island County will adopt locally and then send it on for Ecology to adopt

**Adoption by:  
June 2021**

Questions and comments can be directed to: [CompPlan@islandcountywa.gov](mailto:CompPlan@islandcountywa.gov)

# TASKS



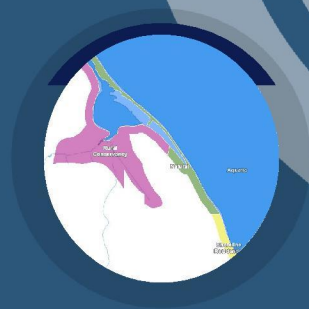
## STATE COMPLIANCE

State law, rules, and applicable updated guidance that may trigger the need for local SMP amendments



## STAFF INITIATED UPDATES

Code changes implementing staff identified process improvements and language clarifications



## SHORELINE MAPPING

Ensuring shoreline jurisdiction is accurately mapped, particularly as it relates to coastal lagoons and brackish wetlands, and Historic Beach Communities



## SEA LEVEL RISE

Guidance and best management practices for shoreline property owners and coastal communities

Questions and comments can be directed to: [CompPlan@islandcountywa.gov](mailto:CompPlan@islandcountywa.gov)

## WHAT WAS DISCUSSED AT PREVIOUS MEETING – FEB. 22<sup>ND</sup>

1. About the Shoreline Master Program (SMP)
2. Key Terms and Acronyms
3. Timeline and Process
4. Tasks
5. Scope of Work
6. Priority Topics for Code Changes

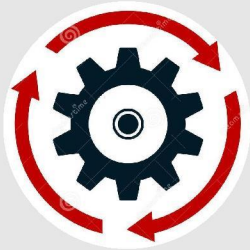
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# ITEMS FOR DISCUSSION TODAY



1. Mapping Changes Related to Coastal Wetlands and Lagoons



2. Proposed Draft Code Changes

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# SHORELINE MAPPING

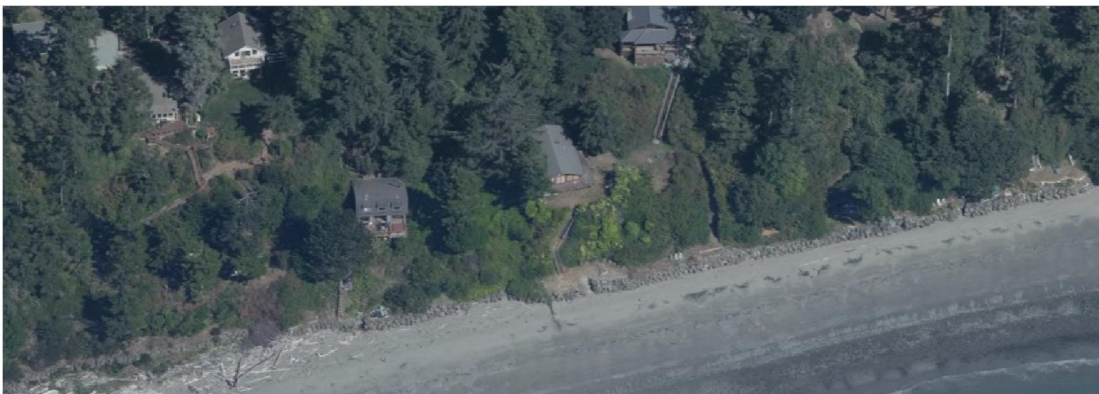
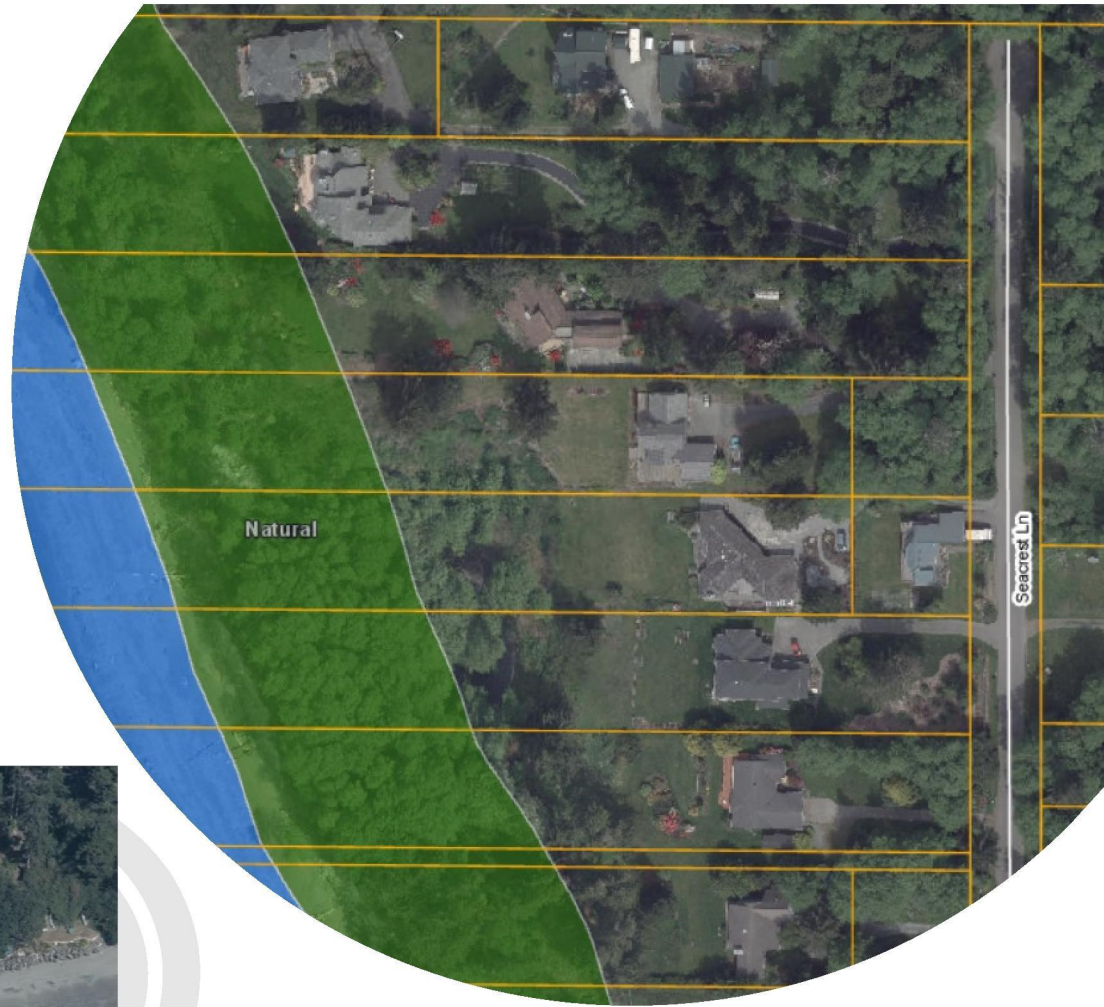
Ensuring shoreline jurisdiction is accurately mapped, particularly as it relates to coastal lagoons and brackish wetlands



# SHORELINE JURISDICTION

Shoreline jurisdiction is defined as including lands 200ft from the Ordinary High Water Mark (OHWM)

OHWM is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation.



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# SHORELINE MAPPING

Ecology issued new guidance clarifying where shoreline jurisdiction technically falls when mapping coastal lagoons and wetlands

Where coastal lagoons and wetlands are tidally influenced, are brackish, and/or have salt-tolerant vegetation, shoreline jurisdiction technically extends 200 feet beyond the boundaries of that lagoon or wetland

Where a fresh water wetland falls within 200ft of the shoreline or where the fresh water wetland's hydrology is associated with the shoreline environment, the wetland itself falls within shoreline jurisdiction

Shoreline jurisdiction would not extend beyond the wetland boundary

The wetland buffers outlined in the County's Critical Areas Ordinance apply outside of the 200ft shoreline jurisdiction

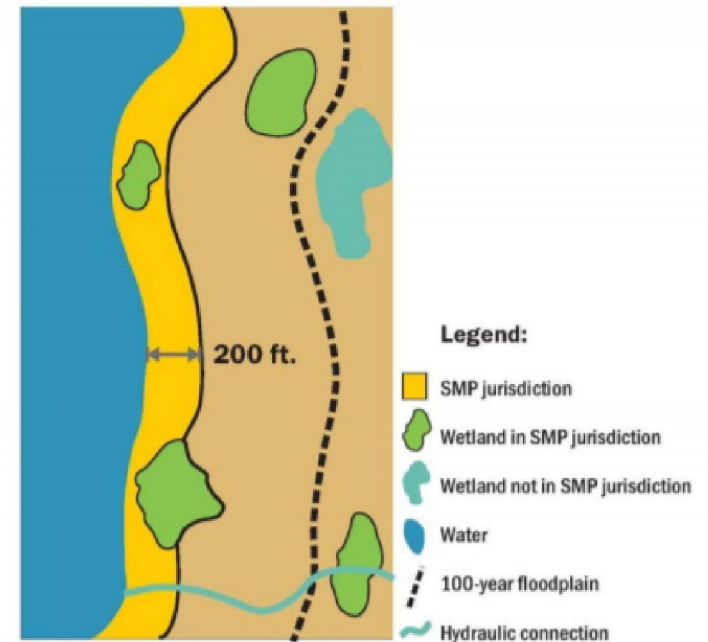


Figure 5-17: Wetlands in shoreline jurisdiction are either fully or partially within 200 feet of the OHWM, within the floodplain, or associated through hydraulic continuity.

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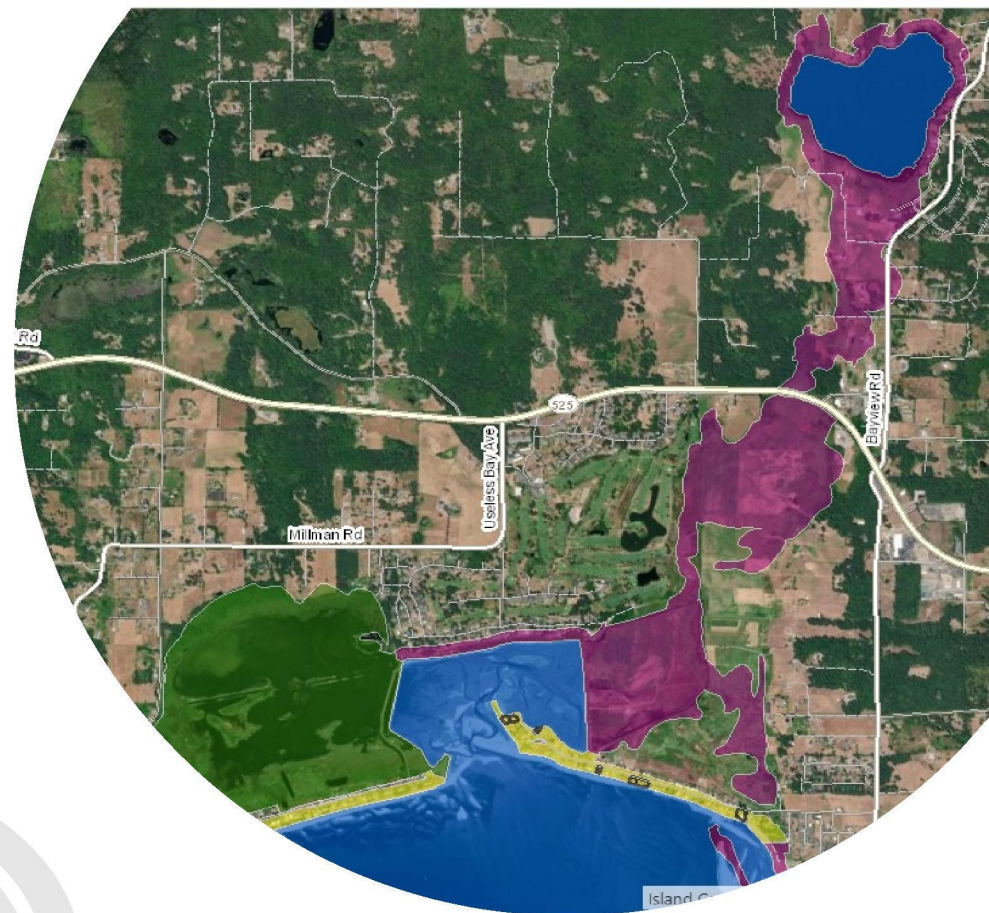
# SHORELINE MAPPING

Staff identified 38 locations in the County where it was suspected that shoreline jurisdiction may not be mapped correctly

The Watershed Company reviewed aerial imagery and performed site visits where access was available from public right-of-way

Recommend changes to 22 sites of 38 evaluated. In some cases increasing where shoreline jurisdiction is mapped and in other cases reducing where it is mapped

Project proposals in areas of concern that were unable to be confirmed, will continue to be evaluated on a case by case basis

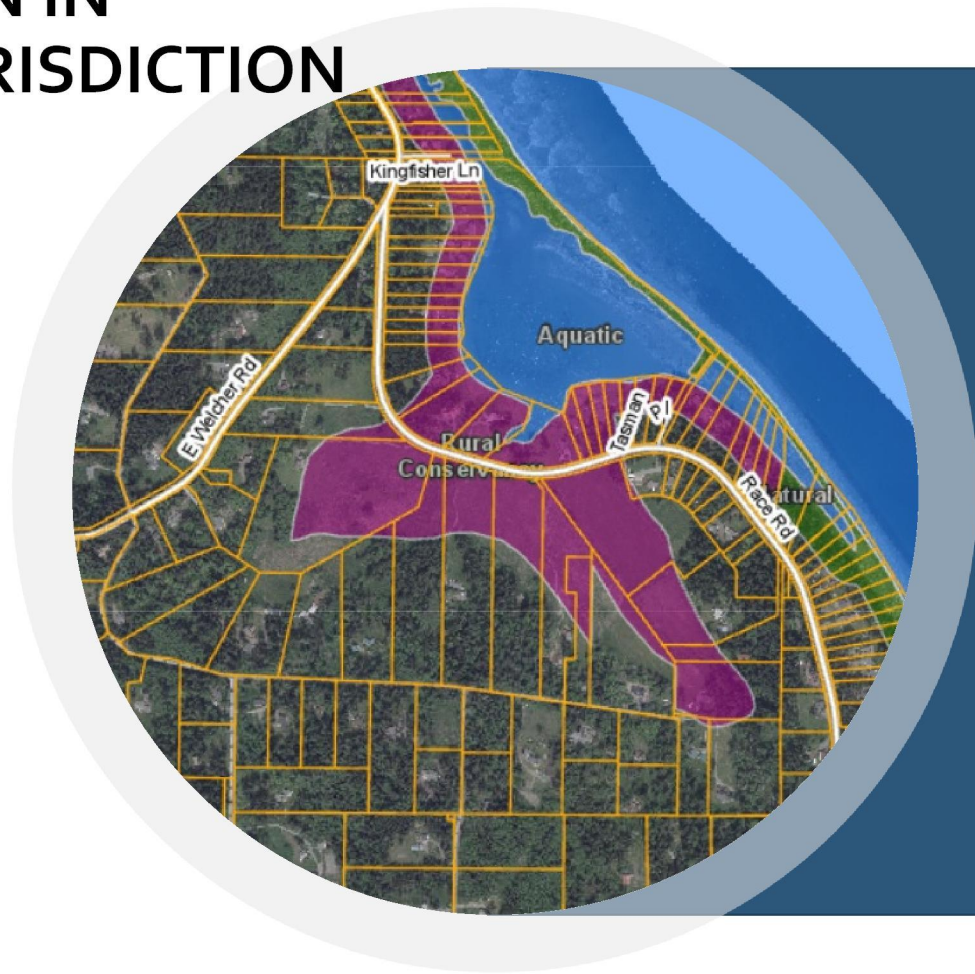


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## EXAMPLE OF REDUCTION IN MAPPED SHORELINE JURISDICTION

Race Road near Coupeville

How currently mapped



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## EXAMPLE OF REDUCTION IN MAPPED SHORELINE JURISDICTION

Race Road near Coupeville

Agricultural fields upland of Race Rd. generally non-wetland

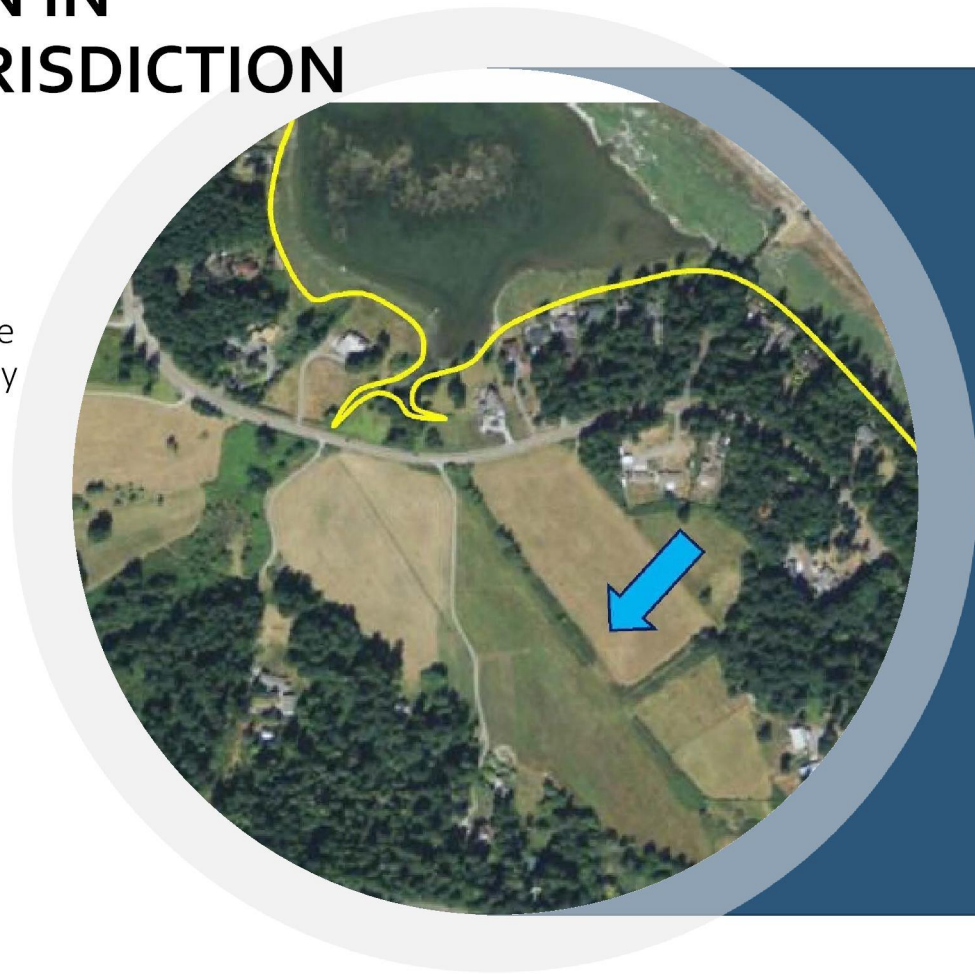
Corridors of ditches and/or streams that may have wetland components flow downhill and eventually discharge into the Puget Sound.

Observed vegetation both uphill and downhill of the culvert crossing Race Rd is generally not salt tolerant

Based on estimated distances on aerial imagery any wetlands in this location would not be jurisdictional or associated.

Recommend adjusting shoreline jurisdiction map to reduce area of shoreline associated wetlands.

Any wetland further than 200 feet from the approximate OHWM as depicted would be removed from shoreline jurisdiction.



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## EXAMPLE OF INCREASE IN MAPPED SHORELINE JURISDICTION

Scenic Heights, north side of Penn Cove

How currently mapped



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## EXAMPLE OF INCREASE IN MAPPED SHORELINE JURISDICTION

Scenic Heights, north side of Penn Cove

This site contains a salt marsh that is a jurisdictional shoreline waterbody.

A site visit was conducted to verify this determination.

The salt marsh meets wetland criteria.

Extensive log piles have accumulated from storm surges, while recent deposition of drift deposits and wrack is evident in the interior of the salt marsh.

Recommend updating the shoreline jurisdiction map to include the feature as a jurisdictional shoreline waterbody.



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# PROPOSED DRAFT CODE CHANGES

Code changes implementing staff identified process improvements,  
periodic review items, and language clarifications



# BOAT LIFTS, CANOPIES, AND COVERED MOORAGE

Definition of boat lift, covered moorage, and canopy added

Boat lift: means a mechanical device, without a canopy, that can hoist vessels out of the water for storage, commonly located along a pier. A boat lift is to be differentiated from a hoist or crane used for the launching or haul-out of vessels

Canopy: means a cover installed as a component of a boat lift.

Covered Moorage: Covered moorage means a pier, or float, or system of floats covered by a roof.

<a href="#">Boat lift</a>	X	X	X	X	<u>C<sup>19</sup></u>	X
<a href="#">Covered Moorage</a>	X	X	X	X	<u>C<sup>19</sup></u>	X

Only allowed as conditional use in Canal Communities

# BOAT LIFTS, CANOPIES, AND COVERED MOORAGE

## 17.05A.100.D.22-23

- Covered moorage associated with nonresidential docks, piers, and floats shall be prohibited.
- Covered moorage associated with single-family residential development shall be prohibited

## 17.05A.100.D.30

- Boat lifts and canopies shall be placed as far waterward as possible in water with a depth of six (6) feet or greater, and no less than 30 feet waterward of OHWM. No more than one (1) boat lift shall be located on any residential lot.
  - Replacement boat lifts can be located in the same location, but where feasible should be relocated in water depth six feet or greater.
  - Feasibility limitations include bathymetry, existing overwater structures, or conflicts with adjacent properties
- One canopy per residential lot that is associated with a legally established boat lift may be permitted through a local canal community dock master plan. Canopies established through a local canal community dock master plan must be made of light permeable fabric.



# BOAT LIFTS, CANOPIES, AND COVERED MOORAGE

## Staff observations

- An analysis of recent aerial imagery of Island County showed that covered moorages in Island County are exclusively within Sandy Hook Canal Community (21 total in Sandy Hook), and that boat lifts that are not of the floating, “drive on” type appear to be non-existent

## Staff recommendation after further discussion

- Boat lifts, canopies, and covered moorage shall be prohibited unless allowed as part of a Canal Community Master Plan

## Staff question for the Planning Commission

- Should boat lifts, canopies, and covered moorage (or any combination thereof) be a Conditional Use in Canal Communities, be allowed as part of an approved Canal Community Master Plan, or be prohibited?

# MODIFICATIONS TO SETBACKS AND BUFFERS WITHOUT A VARIANCE

- Some modifications and structures allowed in shoreline setback and buffer
- Staff combined all of these sections into one: 17.05A.090.E
  1. Shoreline Setback and Buffer alterations
    - a. Requirements for all development proposed in the shoreline buffer or shoreline setback.
    - b. Development permitted within the shoreline setback.
    - c. Development permitted within the shoreline buffer.
    - d. Development on non-conforming lots
    - e. Replacement and expansion of existing residential structures in shoreline setbacks and buffers.
    - f. Shoreline setback and shoreline buffer reductions
      - i. Commonline setback reduction
      - ii. Setback Averaging reduction.
      - iii. Setback reductions within canal communities.
      - iv. Modification of shoreline buffer and setback requirements to encourage restoration
  2. Impervious surface modifications (to be added)

# SHORELINE STABILIZATION

## 17.05A.110.A

- Clarify differences between what is considered new, replacement, and repair
- Clarify different requirements for each
- Clarify different requirements for hard/structural versus soft/non-structural stabilization
- Want to find regulatory incentivizes for soft shore

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## 2. Summary Table of Shoreline Stabilization Requirements

	<u>Structural (Hard) Shoreline Stabilization</u>			<u>Soft Shoreline Stabilization</u>		
	<u>New<sup>1</sup></u>	<u>Replacement<sup>2</sup></u>	<u>Repair<sup>3</sup></u>	<u>New<sup>1</sup></u>	<u>Replacement<sup>2</sup></u>	<u>Repair<sup>3</sup></u>
<u>Biological Site Assessment<sup>4</sup></u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>
<u>Geocoastal Analysis<sup>5</sup></u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>
<u>Demonstration of Need<sup>6</sup></u>	<u>Required</u>	<u>Not Required</u>	<u>Not Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Not Required</u>
<u>Alternatives Analysis<sup>7</sup></u>	<u>Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Required</u>	<u>Not Required</u>	<u>Not Required</u>

1. New shoreline stabilization shall be defined as the establishment of shoreline stabilization where legally existing stabilization is not present. Additionally, replacement of shoreline stabilization shall be regulated as new when:

(a) replacement is not the common method of repair for the stabilization; or

(b) the replacement stabilization is not comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance; or

(c) the replacement causes substantial adverse effects to shoreline resources or environment.

2. As defined in ICC 17.05A.070.

3. As defined in ICC 17.05A.070.

4. Consistent with the requirements of ICC 17.05A.090.C.13.c.

5. Consistent with the requirements of ICC 17.05A.100.A.3.e.

6. The demonstration of need shall address the items in ICC 17.05A.110.A.3.

7. The alternatives analysis shall address the items in ICC 17.05A.110.A.1.b.

# SHORELINE STABILIZATION

## Definitions

### Repair (new definition):

**Repair** means ordinary repair and maintenance work, where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay, or damage. Ordinary repair and maintenance does not include those activities defined as replacement.

### Replacement (existing definition with some changes):

**Replacement** means the construction of a new structure to perform the same function when an existing structure can no longer serve its purpose. In addition, repairs that exceed a certain threshold are also effectively [a] replacement. ~~The following are thresholds for considering a~~ A repair to be is effectively a replacement: ~~1) when more than fifty (50) percent of a structure is being replaced; or 2) the cost of maintenance or repairs to an existing structure exceeds fifty (50) percent of the value of the existing structure.~~

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# SHORELINE STABILIZATION

## New Stabilization

1. New shoreline stabilization shall be defined as the establishment of shoreline stabilization where legally existing stabilization is not present. Additionally, replacement of shoreline stabilization shall be regulated as new when:
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## QUESTIONS ON OTHER CODE SECTIONS WHICH WERE NOT DISCUSSED?

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# THANK YOU!

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